

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

ORIGINAL
(Red)

JUL 1 - 1985

In Reply Refer To: 3HW22

Mr. Donald L. Sprague
Vice President
Giles & Ransome
2975 Galloway Rd.
Bensalem, Pennsylvania 19020

Re: SPCC Case No.: PA 5-007

Dear Mr. Sprague:

The SPCC Plan that your company submitted has been accepted by EPA. Please fully implement the Plan immediately if you have not already done so.

Due to the quality of your company's Plan and the promptness with which it was submitted, EPA is offering to mitigate the assessed civil penalty from \$3,500 to \$350. If you wish to accept this offer, please make the check payable to the United States of America and remit (within 15 days) to:

Mr. Roger Meyer (3HW22)
Regional SPCC Coordinator
Hazardous Waste Management Division
U.S. Environmental Protection Agency
841 Chestnut Building
Philadelphia, Pennsylvania 19107

Please be advised that 40 C.F.R. Section 112.5, requires periodic review of your SPCC Plan (at least every three years) and amendments to the same whenever a change occurs which materially affects your facility's potential to discharge oil.

If you have any questions concerning the mitigation offer, please feel free to contact Roger Meyer at the above address or at 215/597-8170. If you do not wish to accept the mitigation offer, an administrative hearing will be scheduled on the original penalty assessment of \$3,500.

Thank you.

Sincerely yours,

MEYER:p.stratton 5/9/85 X3HW22 7-0807

CONCURRENCES

SYMBOL	3HW22	3HW22	3HW20	Roland W. Schrecongost, Acting Director			
SURNAME	Meyer	Massey	Vollaggio	Hazardous Waste Management Division			
DATE	5/10/85	5/10/85	5/10/85				



Giles & Ransome

2975 Galloway Rd.
Bensalem, PA 19020

ORIGINAL
(Red)

(215) 639-4300

May 2, 1985

Mr. Roger Meyer, (3HW22)
SPCC Coordinator
U.S. Environmental Protection Agency
841 Chestnut Building
Philadelphia, PA 19107

Re: SPCC Case #PA 5-007

Dear Mr. Meyer:

The thirty (30) time limitation as contained in the above Notice of Violation was extended to May 10, 1985 by Mr. Mike Zickler of your office. I had made several efforts to contact you at the phone number furnished (215-597-8170), however, I was not able to do so.

We have engaged the firm, BCM Eastern Inc., One Plymouth Meeting Mall, Plymouth Meeting, Pennsylvania 19462 to prepare the SPCC plan. The completed plan will be mailed directly to you by this firm. It will be put in the mail not later than the end of the work day on Friday, May 3, 1985. The plan, of course, will be subject to your approval.

With respect to the \$3,500 fine - what can I say except that I would appreciate your consideration by eliminating it. No question about it - we did not have an SPCC plan in place. We did not have one in place because we were ignorant of the fact that we were supposed to have one in place. We also agree that ignorance is no excuse, however, we would like you to take into account the cooperation and assistance which we offered in the search for the source of the pollution. As you know, we were not the source of the spill.

One of the test wells which you drilled at the eastern end of our building did reveal gasoline. We tested the gasoline tank near this location and it passed the test. We also tested a diesel tank in the same area which did not pass the test and which will be taken out of service. We have asked the BCM firm to prepare a proposal relative to the gasoline that is in the ground. In any event, while this gasoline was discovered during your investigation, it was not the cause of the leakage into Mill Creek.

We are complying with your request, most notably the preparation of the SPCC plan and we would like you to favorably review and consider our cooperation and assistance (including expense which we have already gone to) and hopefully concluding that the penalty can in good conscience be waived in this case.

Mr. Roger Meyer, (3HW22)
May 2, 1985
Page 2


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Hopefully, a hearing will not be necessary, however, if it is not within your discretion or if your discretion is to deny relief on the fine, then could we please schedule a hearing.

Thank you very much for your consideration.

Very truly yours,

GILES & RANSOME, INC.



Donald L. Sprague
Vice President

DLS:alg



Giles & Ransome

2975 Galloway Rd.
Bensalem, PA 19020

ORIGINAL
TO TOM MASSER

(215) 639-4300

April 3, 1985

Stephen R. Wassersug, Director
Hazardous Waste Management Division
United States Environmental Protection Agency
Region III
841 Chestnut Building
Philadelphia, PA 19107

Re: Notice of Violation and Civil Penalty Assessment
SPCC Case #PA 5-007

Dear Mr. Wassersug:

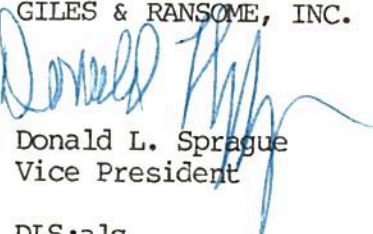
As a follow-up to my prior letter of March 22, 1985, we have engaged the services of B.C.M. Eastern Inc. (engineers, planners and scientists) of Plymouth Meeting, Pennsylvania to formalize and approve an SPCC Plan.

We hope to have the finished product available for submitting to you for your review and hopefully your approval, within the thirty (30) day time frame.

Before the end of the thrity (30) days we will either submit our plan or further advise you of the progress being made in having it ready to submit to you.

Very truly yours,

GILES & RANSOME, INC.


Donald L. Sprague
Vice President

DLS:alg



Giles & Ransome

2975 Galloway Rd.
Bensalem, PA 19020

ORIGINAL
(Red)

TO Tom
mossy

(215) 639-4300

March 22, 1985

Stephen R. Wassersug, Director
Hazardous Waste Management Division
United States Environmental Protection Agency
Region III
841 Chestnut Building
Philadelphia, PA 19107

RECEIVED
HAZARDOUS WASTE MANAGEMENT DIVISION

MAR 26 1985

EPA - Region III

Re: Notice of Violation and Civil Penalty Assessment
SPCC Case #PA 5-007

Dear Mr. Wassersug:

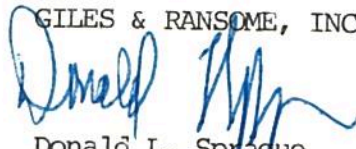
Your letter of March 14, 1985 (post marked March 19, 1985) addressed to our Mr. Vee Pizzica was handed to me on March 21, 1985.

We are in the process of preparing an SPCC plan to be engineer approved to in turn be submitted to your office for consideration.

Further explanation of what we have done in assisting your department in locating the source of a recent leakage of oil into a small stream which crosses our property will be submitted within the thirty (30) day time frame. No doubt your office is aware of the fact that it was not our firm that was causing the problem.

Very truly yours,

GILES & RANSOME, INC.


Donald L. Sprague
Vice President

DLS:alg

P.S. Would you please address your records to send all future correspondence on this matter directly to my attention.